

REMARKS

In the Office Action mailed March 11, 1005, the Examiner noted that claims 1-24 were pending, and rejected claims 1-24. Claims 1, 3-17 have been amended, new claim 25 has been added and, thus, in view of the forgoing claims 1-25 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Office Action the Examiner rejected claims 4, 5 and 10-12 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

On page 3 of the Office Action, the Examiner rejected all claims under 35 U.S.C. § 102 as anticipated by Joao.

Joao describes a user being linked to a merchant computer 30, via a banner advertisement or some other mechanism, when the user computer 10 accesses a content provider computer 20.

In contrast, the present invention involves two portable devices that are capable of transmitting and receiving information wirelessly. The first portable device can be carried by and is used by the advertiser or advertising medium to enter information about what is being advertised and the advertising information is stored in the first portable device. The second (or another) portable device is used by a consumer to request the advertising material. When the first device receives the request, the advertiser at the first device can send the advertising information to the second portable device where the advertising material is displayed for the consumer. This is emphasized in the claims with claims 1, 3, 8, 9, 13-18, 20, 22, 23 and 26 emphasizing the viewpoint of the advertiser portable device, claims 4, 7, 10 and 11 emphasizing the viewpoint of the consumer portable device and new claim 25 emphasizing the both sides of the exchange.

The present invention allows an advertiser (or advertising medium) who carries the portable device with them to respond to advertisement requests from a consumer promptly, even when the advertiser is out of their office. The system allows the efficiency of advertising efforts by the advertiser to be improved.

It is submitted that the present claimed invention patentably distinguishes over Joao and withdrawal of the rejection is requested.

Other claims emphasize other patentable features, for example, claim 15 emphasizes that a reward is given. The prior art does not teach or suggest such.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is also submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

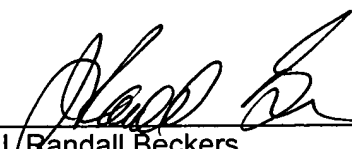
Respectfully submitted,

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